

## Report of Interview

U.S. Department of Labor  
Office of Inspector General  
Office of Labor Racketeering  
and Fraud Investigations



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Investigation on		02/25/2010		at	Brooklyn, NY		File Number
By	Special Agent Joseph Della Penna, OLRFI			Date Prepared		03/03/2010	

On February 25, 2010, JOZEF WOLOSZ ("WOLOSZ"), date of birth [REDACTED] social security number [REDACTED] was interviewed pursuant to a proffer agreement at the United States Attorney's office in the Eastern District of New York, 271 Cadman Plaza East, Brooklyn, NY 11201. Also present during the interview were special agent Joseph Della Penna, OLRFI, special agent Nashaun Richards, FBI, Cristina Posa, Assistant United States Attorney for the Eastern District of New York, Patrick Brackley, Esq., and Krystyna Sanderson, Polish interpreter.

After being advised as to the identity of the interviewing agents and AUSA, WOLOSZ voluntarily provided, in substance and in part, the following information.

AUSA Posa explained to WOLOSZ and Brackley the protections of WOLOSZ's proffer agreement offered by the USAO-EDNY (see attached copy of proffer agreement dated 02/25/2010), and WOLOSZ acknowledged that he understood the terms of said agreement. WOLOSZ agreed to cooperate with this investigation and voluntarily provided, in substance and in part, the following information.

WOLOSZ said that Robert Dziedziach ("Dziedziach") told him that Dariusz Lapinski ("Lapinski") was the person to hire to handle the pending civil lawsuit that was filed by workers of Keystone Renovations Corporation ("Keystone") against WOLOSZ, Keystone, MCR Restoration Corporation ("MCR"), et al. (hereinafter referred to as the "Keystone lawsuit"), for failure to pay prevailing wages. Dziedziach met with Lapinski before, during which Lapinski handled a green card issue on behalf of Dziedziach's girlfriend. WOLOSZ agreed to meet with Lapinski. During WOLOSZ's first meeting with Lapinski, Lapinski told WOLOSZ that if WOLOSZ hires Lapinski, Lapinski will cause the Keystone lawsuit to not end up in court, and that WOLOSZ will not have to pay his attorney fees. For these services, Lapinski requested a \$20,000 fee from WOLOSZ. WOLOSZ recalled later handing Dziedziach \$10,000 to pay Lapinski as payment towards Lapinski's said fee of \$20,000. WOLOSZ said he only paid Lapinski a total of \$15,000. After three (3) weeks past beyond WOLOSZ's first meeting with Lapinski, WOLOSZ expected the Keystone lawsuit to not proceed to court, and WOLOSZ would not have to pay any additional attorney fees; however, WOLOSZ stated that Lapinski did not perform any of these services for WOLOSZ.

WOLOSZ stated that Dziedziach had a meeting with Lapinski, after which meeting Dziedziach advised WOLOSZ that Lapinski would have one of the Keystone lawsuit plaintiffs, namely, Pawel Stolarczyk ("Stolarczyk"), kicked out of the United States, because Dziedziach provided Lapinski with the names of every Keystone plaintiff. Lapinski further advised Dziedziach that Lapinski would plant drugs on Stolarczyk and, somehow, then notify the FBI to have Stolarczyk arrested for possession of drugs, which would result in Stolarczyk being kicked out of the United States. Next, WOLOSZ accidentally met with Lapinski in the Greenpoint section of Brooklyn. Shortly thereafter, WOLOSZ received a telephone call from Stolarczyk, who told WOLOSZ that somebody contacted Stolarczyk and threatened Stolarczyk. Stolarczyk told WOLOSZ that the unidentified person spoke Russian on the telephone. WOLOSZ advised that he thought Lapinski was the person who threatened Stolarczyk.

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WOŁOSZ said that Stolarczyk showed him an illegal green card, but that Stolarczyk would determine whether it was legal or not by showing it to an FBI agent who works out at the same gym as Stolarczyk in the Greenpoint section of Brooklyn. WOŁOSZ stated that Stolarczyk began looking for the people who sold Stolarczyk a fake green card for \$18,000 which, according to WOŁOSZ, could be the reason behind Stolarczyk receiving the aforementioned threatening telephone call from the unidentified person who spoke Russian.

WOŁOSZ advised that Stolarczyk probably contacted WOŁOSZ's attorney and asked if WOŁOSZ had \$1 million dollars ready to settle the Keystone lawsuit.

WOŁOSZ advised that he and Bogdan Starzecki ("Starzecki"), owner of MCR, each had to pay for their own attorneys to defend the Keystone lawsuit. WOŁOSZ said that he paid approximately \$200,000 for his attorney fees.

WOŁOSZ is aware that Lapinski threw acid on Stolarczyk's girlfriend as a method intimidation against the Keystone lawsuit plaintiffs; although, WOŁOSZ stated that he never discussed with Lapinski any violence against the Keystone lawsuit plaintiffs. However, WOŁOSZ later admitted that it was only his idea to have the Keystone lawsuit workers hurt and intimidated enough to drop the Keystone lawsuit. After discussions with Lapinski, WOŁOSZ spoke with Starzecki about the Keystone lawsuit, at which point Starzecki said he has \$300,000 to pay to the Keystone plaintiffs to settle the lawsuit, but WOŁOSZ knew the settlement would be a lot greater than \$300,000. WOŁOSZ informed Adam Radzewicz ("Radzewicz"), employee of MCR, and Starzecki that Lapinski threw acid on Stolarczyk's girlfriend.

WOŁOSZ informed Radzewicz about the Keystone lawsuit. However, WOŁOSZ's attorney advised him to not discuss any issues in connection with the Keystone lawsuit with Radzewicz and Starzecki. WOŁOSZ believes that Dziedziach discussed details of the Keystone lawsuit with Radzewicz and Starzecki, because Dziedziach rents an apartment in a building owned by Starzecki. WOŁOSZ discussed financial issues with Radzewicz and Starzecki, and Radzewicz told WOŁOSZ not to worry about the Keystone lawsuit, because Radzewicz and Starzecki had enough money to pay the Keystone plaintiffs. WOŁOSZ said that in the beginning stages of the Keystone lawsuit, Radzewicz and Starzecki both knew that WOŁOSZ intended to handle the Keystone lawsuit outside of the court by hiring Lapinski to intimidate the Keystone plaintiffs. WOŁOSZ informed Radzewicz and Starzecki that WOŁOSZ paid \$15,000 to Lapinski to have Stolarczyk expelled from the United States. WOŁOSZ had this discussion with Radzewicz at one of the MCR/Keystone job sites, and with Starzecki when Starzecki handed WOŁOSZ a check for performing subcontract work for MCR.

On the same day that WOŁOSZ paid the Russian (FBI informant) \$5,000 in cash, WOŁOSZ told Radzewicz that Dziedziach talked too much to the Russian Mafia (FBI informant), and asked Radzewicz for money/loan to pay the Russian (FBI informant), to which Radzewicz told WOŁOSZ to handle his own business. On the next day, Radzewicz and Dziedziach spoke on the telephone about the same issues involving the Russian Mafia (FBI informant).

WOŁOSZ said that it was his idea to terminate Lapinski, because Lapinski unsuccessfully resolved the Keystone lawsuit in WOŁOSZ's favor, and to hire somebody else who could settle the Keystone lawsuit. WOŁOSZ stated that it was Dziedziach's idea to talk to the Russian Mafia (FBI informant), but that WOŁOSZ wanted to handle the settlement of the Keystone lawsuit himself after terminating Lapinski. At this point, WOŁOSZ had been making payments to the Keystone plaintiffs as part of their official settlement and, therefore, did not want Dziedziach to reach out to the Russian Mafia (FBI informant). WOŁOSZ said that Dziedziach didn't know that he (Dziedziach) was risking his own life by dealing with the Russian Mafia (FBI informant). WOŁOSZ does not understand why Dziedziach and another Keystone worker, namely, Maciej Ropelewski ("Ropelewski"), both promised the Russian Mafia (FBI

informant) approximately \$200,000 to assault the Keystone plaintiffs for pursuing the Keystone lawsuit. WOLOSZ again stated that it was his idea to hurt the Keystone plaintiffs, but it was Dziedziach's idea to hire the Russian Mafia (FBI informant) to carry it out. WOLOSZ said that Dziedziach's brother, (FNU) Dziedziach, told him that Dziedziach's head will roll if the Russian Mafia (FBI informant) was not paid. WOLOSZ advised that Radzewicz and Starzecki only knew about WOLOSZ hiring Lapinski, however, Radzewicz and Starzecki were not aware of the details surrounding Dziedziach's hiring of the Russian Mafia (FBI informant).  
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WOLOSZ stated that Bialek Construction was the first company he has owned. WOLOSZ said that Mr. Bialek was a student of Starzecki, and WOLOSZ also learned from Mr. Bialek and Starzecki how construction jobs are done.

**[Agent's Note:** Towards the end of the proffer, WOLOSZ recanted a portion of his above statements by stating that it "was not his idea"; however, it is unclear as to which statements WOLOSZ was specifically referring to.]